

WAUKESHA COUNTY
CRIMINAL JUSTICE COLLABORATING COUNCIL
DRUG ABUSE TRENDS COMMITTEE
APRIL 19, 2011

The meeting was called to order at 9:04 a.m.

Present:				
Brad Schimel (Chair)	Mike Bohren	Julianne Klimetz	Lee Wipfli	Michelle Trussoni
Claudia Roska	Kathy Cooke	Chuck Wood	Sara Carpenter	Sandra Lybert
Jim Jeskewitz	John Wirkus	Mary Lynn Murphy		
Absent:				
Sam Benedict	Greg Wieczorek	Kathy Becker	Karl Held	Dawn Rolling
Mike DeMares	Susan Andrews	Mickey Gabbert		
Also Present:				
Rebecca Luczaj	Kristin Hasbrook	Jean LaTour	Windy Jicha	Judge Mac Davis
Case Manager Swanson, ATTIC Correctional Services	Captain Dreamer- Rock County Sheriff's Department	Officer Harding- Rock County	Elizabeth Pohlman- McQuillen Rock County CJCC Coordinator	

Approve Minutes from October 12, 2010 Meeting

Motion: Bohren moved, Wirkus second, to approve the minutes of October 12, 2010. Motion carried 15-0

Presentation: Rock County Drug Court Overview – Rock County Drug Court Representatives

Dreamer, Swanson, Harding and Pohlman-McQuillen were present to give an overview of the Rock County Drug Court. The Rock County Drug Court program started in January 2007 with a \$160K Treatment Alternatives & Diversion grant from the WI Office of Justice Assistance. The Rock County Drug Court is a collaboration between the county, sheriff's and neighboring police departments, District Attorney's Office, community organizations, courts, Public Defenders' Office, and Department of Corrections, as outlined by the grant. The intention of the program is reduce the jail population and recidivism by providing treatment to offenders with substance abuse issues through AODA and/or anger management treatment, individual counseling, family reunification, financial planning training, cognitive behavioral interventions and referrals for employment, housing, and education, etc.

Program participants must be residents of Rock County, with no prior violent felony convictions, violent misdemeanor convictions within the last three years or weapons charges connected to the current offense. Participants must have a demonstrated drug dependence problem. Participants are referred from drug treatment providers, criminal courts or the DOC (as an alternative to revocation) and must be willing to address substance use/abuse/dependence. Before enrolling in this preconviction, post plea program, participants undergo an assessment to determine if they are appropriate for the program. Persons with severe mental health issues or inpatient treatment needs are ineligible. Limited funding is available for treatment centers or detox if needed. Clients must successfully complete this treatment before being accepted into the program.

Offenders enter into an agreement with the district attorney's office, which stipulates that the current criminal charges will be dismissed or significantly reduced in exchange for successful completion of the program. The court has final approval of the agreement.

The minimum program length is nine months, depending on clients' needs and progress, and consists of three phases: maximum, medium and minimum. During the maximum phase, clients report in-person with one of the six counselors/case managers for intensive case management Monday through Friday, call in Saturdays and Sundays, submit to random UA/breathalyzer tests and appear before the judge once a week. Reporting, random alcohol/drug screens and court appearance become less frequent as clients achieve success and travel through

the phases. Sanctions may include more frequent reporting requirements and alcohol/drug screens, written assignments, etc. Clients are required to pay program fees, which must be paid in full in order to graduate. Incentives for program successes include judicial praise, gift cards, and being placed early on the court docket.

Independent evaluator Dr. Paul Gregory was hired to evaluate the first three years of the program and determined the recidivism rates at one year after graduation to be 5% for the 47 graduates and 20% for the 52 non-graduates. Non-graduates are people who do not successfully complete the program. Clients are released from the program for non-compliance. The recidivism rate is significantly higher for those not in the program.

Pohlman-McQuillen said as of two weeks ago, the program had 223 graduates and 115 non-graduates. Dreamer said the program has been so successful that Rock County was able to do a \$5.6M renovation to the jail rather than building a new one. Dreamer said participants report a wide variety of drug use but recently there has been a 3% to 4% increase in reported opiate use. During the first three years of the program, 72% of participants preferred marijuana, 12% opiates (includes prescription drugs), 13% alcohol, and 4% cocaine.

Wirkus asked what level of noncompliance is tolerated. Dreamer said a lot of people try to fake it to make it but it does not work. Swanson said everyone in the program is different. Case managers are more lenient at the beginning of the program and harder on basic compliance issues such as honesty, program and court attendance, clean tests, etc.

Schimmel asked how fast does a case plea. Brown said cases plea within one month of graduation for sentencing. Dreamer said the judges make the ultimate decisions. Bohren asked do judges receive a report of all past charges or just a list of the charges that brought the defendant to court? Dreamer said the reports do not specifically mention defendants' criminal histories before participation in drug court.

In response to La Tour's question, Harding said chapter 16 of the state statutes is very specific about the types of crimes that will disallow defendants from the program.

Bohren asked how is recidivism measured? Pohlman-McQuillen said recidivism is measured based on criminal activity rather than drug use. The program can easily track past participants' criminal history but it is challenging to track the use of illegal substances. Dreamer said Rock County is looking to reestablish after-care programs.

Schimmel asked is there is a waiting list to get into the program? Pohlman-McQuillen said the program added three counselors in 2010 to address the opiate issue and waiting list. Currently, there are 55 people enrolled in the program. Dreamer said recent trends show the number enrolled in drug court has increased and the jail population decreased. Fewer people are in jail and more are seeking help.

In response to Schimmel's questions, Swanson said Drug Court meets Thursdays at 8 a.m. The Drug Court judge typically has 15 to 20 clients on each drug court docket, but has seen up to 30 clients. Dreamer said the staffing team meets at 7 a.m. prior to Drug Court to discuss each client's progress.

Dreamer said before getting involved with this program, he used to think defendants should be locked up and the key thrown away. The success of this program has shown him that warehousing people and building more jails is not the answer.

Luczaj asked if Rock County had considered an alcohol & drug court hybrid model? Pohlman-McQuillen said the Rock County District Attorney demands separate alcohol and drug courts. Rock County has 1,250 OWIs annually. It is a problem.

LaTour said she cannot envision a district attorney making a deal on burglary or felony charges with people who drop out of the program. Pohlman-McQuillen said those who are not successful in the program are sentenced on the highest charge. Dreamer said the diversion contract specifies that those who are unsuccessful in the

program will be charged on their original charges to the fullest extent of the law. Swanson said the contract is a huge incentive. Pohlman-McQuillen said Sheriff's deputies go to participants homes if they are not at drug court, similar to the Rock County Day Report Program.

Swanson said the program is about building relationships. Dreamer said when he's talking to participants he is not talking to them as an arresting officer. He does not take names or places. He is not investigating drugs. The success of the Drug Court has caused law enforcement to take a different look at how things are done.

Schimmel asked once a client completes the program, who does the sentencing? Harding said the original judge does the sentencing, not the Drug Court judge. Schimmel asked is the judge bound by the plea agreement? Dreamer said the judge can do anything they want similar to other plea agreements. Davis asked how was the decision made to go back to the original judge for sentencing? Pohlman-McQuillen said the Drug Court judge takes jurisdiction of treatment, but not the case. Dreamer said participants who fail go back to their original judge. Davis asked what about graduates? The system seems to have a disconnect. Dreamer said Chief Justice Daily has been in support of this program and the other judges conformed. Participants work hard to complete the program and earn the right to the plea agreement. Pohlman-McQuillen said the judge is aware of the plea agreement.

Davis asked does Rock County use deferred prosecution agreements? Pohlman-McQuillen said theirs is a deferred prosecution program. Davis asked are there sanctions for those who get into trouble post-conviction? Dreamer said the participant can spend time in jail for up to 96 hours. Davis said it somehow has to go through bail. Dreamer said the judge can use lock up like a time out. Some people are sanctioned to jail for 24 to 36 hours.

Presentation: Get Connected Overview – Kristin Hasbrook, AODA Support Counselor, Hamilton School District
Hasbrook distributed two handouts: *Get Connected* and *Save the Date for Golf a Palooza*. Hasbrook said the Hamilton School District found it was important to work with and support parents as well as children. Get Connected is a parent network that gives parents information and support to be better parents. It helps parents navigate children through their school years by providing them with age-appropriate information, networking with other parents, presentations from professionals, guidance and support. Presentations are set up as learning opportunities and provide both information and coping methods. Topics are selected based on parental recommendations and requests. The annual cost of the program is \$24K which is funded through the Hamilton School District, United Way of Waukesha County, the "Helping Kids Succeed" initiative, and local business sponsorships.

Schimmel asked how do you determine which children need one-on-one sessions? Hasbrook said determinations are made through parental requests and teacher recommendations. LaTour asked how do you get parents involved? Hasbrook said the program's philosophy is that all parents are at risk. Parents learn about the program through teachers, the website, emails, brochures, flyers, word-of-mouth, etc. Cooke said it is important that parents do not feel singled out for having troubled kids. Schimmel said there are plenty of ways to compel parents to attend the programs.

Schimmel said as a system we put a lot of resources into families that have been identified as having problems. It is nice to see a program aimed at prevention and he applauds the effort. When he went to juvenile court, he thought he knew what kind of kids and families would be there but instead he saw families who were really trying and doing everything they could. Hasbrook said there are "perfect" families who are trying to make changes. It helps to see other families with the same needs. Cooke said the program is empowering.

Hasbrook said the Love and Logic class draws the biggest crowd. The class tries to make parenting fun again. Mukwonago and Oconomowoc have started Get Connected programs and Kettle Moraine and the City of Waukesha are considering it. Hasbrook said the Sussex program has to reapply for funding this year. Grant stipulations have changed and money may not be available.

In response to Bohren's question, Cooke said Get Connected does not sponsor or endorse any counselors but can provide a list of counselors in the area to parents. Hasbrook said parents have a lot of stress and are overwhelmed. Cooke said the number of children on strong prescription medicine is frightening.

Wirkus said counseling is the new church. Issues that used to be dealt with at church are now dealt with in counseling. Kids are more stressed and are bombarded with information that is anxiety-producing. Hasbrook said parents have fear and lack skills. Cooke said the feedback from parents is incredible.

Schimmel asked do families have to be in the school district to participate? Hasbrook said it is a community program that does not require families to be in the district.

Drug Court Funding Availability

Luczaj said she has been researching different funding options for starting a drug court in Waukesha County. The Bureau of Justice Assistance (BJA) usually has implementation or enhancement funding available for drug courts. Solicitations usually are announced in December and are due in February. She needs to check with BJA to see if Waukesha County could be exempted from the initial training especially since many of the CJCC stakeholders have changed since the county attended the initial training. The process will be delayed six months if Waukesha County needs to go through training.

Schimmel said grant funding would start the program but then justification for tax levy and a client fee structure would be needed to sustain it. A drug court may not generate the same income as ATC because not as many participants would be employed. The County Executive and County Board will ask questions about future funding options.

Discuss Agenda Items for Next Meeting

- Discuss Feedback from Dr. Brown's January Presentation on "Evidence-Based Responses to Alcohol & Drug Use"
- Presentation: Your Choice/Parent Education Series Overview
- Presentation on Teen Intervene

The meeting adjourned at 10:40 a.m.